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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANGEL FRALEY; PAUL WANG; SUSAN
MAINZER; JAMES H. DUVAL, a minor,
by and through JAMES DUVAL, as
Guardian ad Litem; and W. T., a minor, by
and through RUSSELL TAIT, as Guardian
ad Litem; individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., a corporation; and
DOES 1-100,

Defendants.

Case No. CV 11-01726 RS

**DECLARATION OF ROBERT S.
ARNS IN SUPPORT OF
OPPOSITION TO MOTION OF
KAZMAN FOR ATTORNEYS'
FEES**

Date: October 17, 2013

Time: 10:00 a.m.

Courtroom: 3

Judge: Hon. Richard Seeborg

1 I, Robert S. Arns, hereby state and declare:

- 2 1. I am an attorney licensed to practice before all the federal and state courts located in the
3 State of California and I am admitted to practice before this Court. I am the President
4 of The Arns Law Firm, A Professional Corporation, one of the attorneys for Plaintiffs
5 herein. I have personal knowledge of the facts stated in this declaration, and if called
6 upon to testify, could and would competently testify thereto. I make this Declaration in
7 support of the memorandum in support of/supporting the opposition to Objector Sam
8 Kazman's motion for attorneys' fees.
- 9 2. Attached hereto as Exhibit 1 is a true and correct copy of printouts of the "About CEI"
10 page and the Sam Kazman bio from the website of the Competitive Enterprise Institute,
11 accessed 9/20/2013.
- 12 3. Attached hereto as Exhibit 2 is a true and correct copy of an e-mail sent by Theodore
13 Frank to me at 1:08 a.m. on September 9, 2013. I did not see this e-mail until later in
14 the day, and did not speak to Mr. Frank on September 9, before the Motion was
15 electronically filed that afternoon.
- 16 4. I was in an all-day mediation and did not have the opportunity to respond to Mr.
17 Kazman's e-mail, as he recognized in his declaration. I am aware of no previous
18 attempts by Mr. Kazman to contact me in the two weeks prior to the e-mail.
- 19 5. Attached hereto as Exhibit 3 is a true and correct copy of a printout of webpages from
20 the August and September Update, CENTER FOR CLASS ACTION FAIRNESS,
21 [http://centerforclassactionfairness.blogspot.com/2013/09/august-and-september-](http://centerforclassactionfairness.blogspot.com/2013/09/august-and-september-update.html)
22 [update.html](http://centerforclassactionfairness.blogspot.com/2013/09/august-and-september-update.html) (Sept. 9, 2013).
- 23 6. Attached hereto as Exhibit 4 is a true and correct copy of selected pages from the
24 Transcript of the Motion for Preliminary Approval on August 2, 2012.

1 I declare under the penalty of perjury and under the laws of the United States of America
2 that the forgoing is true and correct, and that if called upon to testify, I could verify the
3 accuracy of the same. This document was executed on September 23, 2013 in Napa,
4 California.

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8 Robert S. Arns
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